



W.P.(MD)No.15504 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.15504 of 2025
and
W.M.P.(MD)No.11735 of 2025

R.Rathi

... Petitioner

-VS-

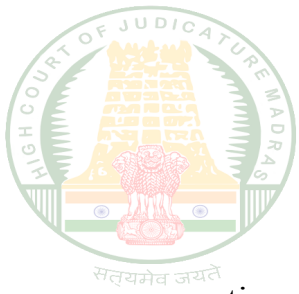
1.The Chief Educational Officer,
Theni,
Theni District.

2.The District Educational Officer,
Uthamapalayam,
Theni District.

3.The Headmaster,
Nadar Higher Secondary School,
Thirumalapuram,
Bodinayanur,
Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records on the files of the first respondent pertaining to its proceedings in Na.Ka.No.3634/A2/2024 dated 28.05.2025 and consequently, direct the respondents to permit the petitioner to



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continue as Physical Education Teacher at third respondent school namely, Nadar Higher Secondary School, Thirumalapuram, Bodinayanur, Theni District.

For Petitioner : Mr.S.C.Herold Singh

For Respondents : Mr.M.Siddharthan
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking to quash the proceedings of the first respondent in Na.Ka.No.3634/A2/2024, dated 28.05.2025 and consequently, to direct the respondents to permit the petitioner to continue as a Physical Education Teacher at the third respondent School.

2. The learned counsel for the petitioner submits that the petitioner is duly qualified with B.Com. and B.P.Ed. and was appointed as a 'Physical Education Teacher' at Nadar Higher Secondary School, Thirumalapuram, Bodinayakanur, Theni District (third respondent school) by order dated 08.11.2009. There are three sanctioned posts of 'Physical Education Teachers' in the said school, all of which were filled, including the petitioner. As per the EMIS report, the school has 728 students, of whom approximately 325 are girl students. The petitioner is the only lady Physical Education Teacher, who has been attending to the physical education and overall taking care of the wellbeing of the girl students.



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3. It is further submitted that without issuing any prior notice or affording an opportunity of hearing, the petitioner was summoned for counselling and informed that she was declared as surplus, on the ground that the number of students was insufficient. Subsequently, by the impugned order in Na.Ka.No. 3634/A2/2024, dated 28.05.2025, the petitioner was redeployed to Varatha Venkat Ramana Higher Secondary School, without taking into account her role as the sole woman Physical Education Teacher in the third respondent school. Aggrieved by the same, the present writ petition is filed seeking to quash the said proceedings and permit the petitioner to continue at the original school.

4. Per contra, the learned Additional Government Pleader appearing for the respondents submits that the redeployment was done strictly in accordance with the Government norms, based on the number of students in the school and sanctioned staff strength, as per rationalization guidelines. The petitioner was declared as surplus and accordingly, deployed to another Government-aided School to optimize teacher allocation.

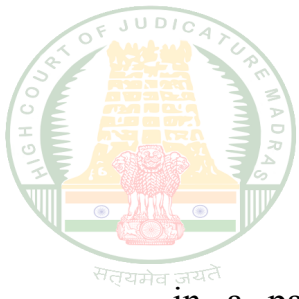


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5. It is also submitted that the petitioner has already joined the new place of posting at Varatha Venkat Ramana Higher Secondary School on 27.06.2025 F.N., thereby, accepting the transfer order. Once the petitioner has joined the new school, the relief sought becomes infructuous and the writ petition is not maintainable.

6. Upon hearing the submissions of the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents and on perusing the records, this Court is of the considered view that the impugned redeployment order was passed as part of a policy-based rationalization exercise, intended to ensure optimal distribution of teaching staff in Government-aided institutions. It is an administrative decision made on objective criteria such as, student strength, sanctioned posts and surplus availability and this Court finds no *mala fides* or arbitrariness in the decision-making process. Furthermore, the petitioner has already joined the new place of posting on 27.06.2025 F.N., thereby, acquiescing to the transfer. Once having joined, it is not open for the petitioner to challenge the same, unless she can demonstrate coercion or legal infirmity, which is absent in this case. Further, there is no vested right to remain



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in a particular school, especially, when public interest and administrative exigency demand otherwise. Accordingly, this Court finds no merit in the writ petition. Hence, the Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

NCC : Yes / No

11.07.2025

Index : Yes / No

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To:-

- 1.The Chief Educational Officer,
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Theni District.
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VIVEK KUMAR SINGH, J.

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